

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6054
1099 L.C. d/b/a Venice Nissan;)
Donald M. Caldwell)

CERTIFICATION

I, Darlene Harris, recording secretary of the Federal Election Commission executive session, do hereby certify that on June 29, 2010, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-2 to pass a motion to:
 - a) Find probable cause to believe that 1099 L.C. d/b/a Venice Nissan knowingly and willfully violated 2 U.S.C. § 441f.
 - b) Find probable cause to believe that 1099 L.C. d/b/a Venice Nissan knowingly and willfully violated 2 U.S.C. § 441a(a).
 - c) Find probable cause to believe that Donald M. Caldwell knowingly and willfully violated 2 U.S.C. § 441f.
 - d) Approve the conciliation agreement, as recommended in General Counsel's Report #4 dated June 2, 2010.
 - e) Approve the appropriate letters.

Commissioners Bauerly, Walther and Weintraub voted affirmatively for the motion. Commissioners Hunter and Petersen dissented. Commissioner McGahn II recused himself with respect to MUR 6054 and did not vote.

2. Decided by a vote of 4-1 to:
 - a) Find probable cause to believe that 1099 L.C. d/b/a Venice Nissan violated 2 U.S.C. § 441f.
 - b) Find probable cause to believe that 1099 L.C. d/b/a Venice Nissan violated 2 U.S.C. § 441a(a).

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- c) Find probable cause to believe that Donald M. Caldwell violated 2 U.S.C. § 441f.
- d) Approve the conciliation agreement, as recommended in General Counsel's Report #4 dated June 2, 2010, subject to any necessary technical and conforming amendments to the conciliation agreement and the civil penalty.
- e) Approve the appropriate letters.

Commissioners Bauerly, Petersen, Walther and Weintraub voted affirmatively for the decision. Commissioner Hunter dissented. Commissioner McGahn II recused himself with respect to MUR 6054 and did not vote.

Attest:

June 30, 2010
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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